

ORIGINAL

(32)  
6-21-02  
SC

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
(Harrisburg Division)

UNITED STATES FIDELITY AND  
GUARANTY COMPANY,  
Plaintiff

v.

BRUCE J. BROWN and  
BROWN SCHULTZ SHERIDAN &  
FRITZ,  
Defendants

FILED  
HARRISBURG, PA

JUN 20 2002

MARY E. DANDREA, CLERK  
Per Deputy Clerk

CIVIL ACTION NO. 1:01-CV-00813

JUDGE KANE

MAGISTRATE SMYSER

**STATEMENT REGARDING DISCOVERY MOTION**

Pursuant to Local Rule 26.3, counsel for defendants, Bruce Brown and Brown Schultz Sheridan & Fritz, states that prior to filing the motion to compel production of documents it attempted in good faith to resolve the relevant issues. On May 8 and 15, 2002, counsel sent letters to plaintiff's counsel including citation of legal authority, in support of its position regarding the relevance and non-privilege nature of the documents sought. Plaintiff responded declining to produce the requested

documents as well as a privilege log. In addition, numerous telephone discussion have been held to attempt to resolve the issues. While plaintiff's counsel indicated USF&G might be willing to consider production of certain of the requested documents, plaintiff's counsel has not responded with regard to whether such documents would be produced.

SWARTZ, CAMPBELL & DETWEILER

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Dated: June 19, 2002